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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of
Tricarico

Serial No.: **09/767,322**

Filed: **22 January 2001**

For: **Method and Apparatus for Theft Recovery
of Mobile Electronic Devices**

Docket No: **4740-082**

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) **PATENT PENDING**
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) **Examiner: Eugene Yun**
)
) **Group Art Unit: 2682**
)
) **Confirmation No.: 9368**
)
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Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR 1.8(a)]

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7 December 2005

Date

Kathleen Koppen
Kathleen Koppen

RESPONSE TO OFFICE ACTION

This paper is being filed in response to the Office Action mailed 7 September 2005 having a reply due date of 7 December 2005. Reconsideration and reexamination are respectfully requested in light of the remarks below. While no fees should be required for entry of this response, if any fees or charges are required, the Commissioner is hereby authorized to charge them to Deposit Account 18-1167.

In this response, Applicant amends independent claims 1, 11, and 19. In addition, Applicant adds new claims 20 – 22, where each new claim further limits the corresponding independent claim to “continuously” transmitting the tone when the positioner is not able to determine the geographic position of the mobile device. No new matter is added. Because original claims 3 and 15 – 18 were cancelled from the originally filed application, no additional fees are required for new claims 20 – 22.